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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

PAMELA KEYSER,
Plaintiff,

Civ. No. 08-1268-CL

v.

MICHAEL J. ASTRUE,
Commissioner, Social Security,
Defendant.

ORDER

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). When either party objects to any portion of a Magistrate Judge's Report and Recommendation, the district court must make a de novo determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F. 2d 1309, 1313 (9th Cir. 1981).

Here, plaintiff objects to the Report and Recommendation. I


have, therefore, given this matter de novo review. I agree with the Report and Recommendation that while the ALJ erred in failing to identify which of plaintiff's skills were transferable the semiskilled occupation of cashier I, the error does not require reversal. Substantial evidence supported the ALJ's findings that plaintiff could perform the unskilled occupation of cashier II, and that a significant number of cashier II jobs exist in Oregon. Accordingly, I ADOPT the Report and Recommendation of Magistrate Judge Clarke.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#18) is adopted. The Commissioner's decision is affirmed.

IT IS SO ORDERED.

DATED this 18 day of March, 2010.

A handwritten signature in black ink, reading "Owen M. Panner", is written over a horizontal line.

OWEN M. PANNER
U.S. DISTRICT JUDGE